

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Herrmann, et al. Art Unit : 2157
Serial No. : 09/599,675 Examiner : Lashonda Jacobs
Filed : June 22, 2000 Conf. No. : 7511
Title : CAPTURING ADVERTISING REQUESTS FROM A USER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JANINE M. GOODWIN

I, Janine M. Goodwin, declare as follows:

1. I have been employed by Fish & Richardson P.C. since September 4, 2000.

During the time in question I was the Docketing Supervisor in the Patent Services Department.

2. When mail is received by Fish & Richardson P.C. from the U.S. Patent and Trademark Office ("PTO"), the mail is scanned and docketed into the Fish & Richardson P.C. computerized docketing system and electronically captured in a log of all PTO mail received. It is then sent to the attorney in charge of the case for entry into the file.

3. According to our docket system the case identified as U.S.S.N. 09/599,675 filed June 22, 2000 corresponds to client/matter number 10984-287001.

4. I have checked our computerized docketing system and found that the Notice of Allowance dated October 5, 2007 correspondence concerning the above-captioned case was not scanned, entered, or docketed.

5. I have checked our electronic log (Exhibit A) for the period of time from October 5, 2007 through October 30, 2007 and there is no record of ever receiving the October 5, 2007 PTO correspondence.

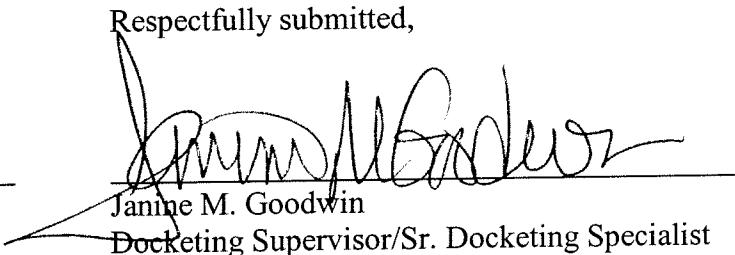
6. I have checked copies of our docket printout (Exhibit B) showing docketing deadlines occurring on January 5, 2008, the due date. Each entry in Exhibit B identifies the docketed date; the Fish & Richardson reference number; the U.S. Serial Number; a description of the action; and a description of the type of deadline. For application U.S.S.N. 09/599,675, if we had received a Notice of Allowance dated October 5, 2007 I would have expected to find a docketed due date of January 5, 2008 for "ISSUE FEE". I did not find such a docket entry in Exhibit B.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 1/24/08



Janine M. Goodwin
Docketing Supervisor/Sr. Docketing Specialist

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